**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	43	Application Number	09/316,651
		Filing Date	May 21, 1999
		First Named Inventor	Dr. Norm Faiola, Ph.D.
		Group Art Unit	2863
		Examiner Name	Michael P. Nghiem
Attorney Docket Number		270-109	

ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
- ☒ Fee Attached
- ☒ Amendment / Reply
- ☒ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s)

- ☐ After Allowance Communication to Technology Center (TC)
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information

☐ Status Letter☐ Other Enclosure(s)
(please identify below):

One check for \$385 RCE Fee,
PTO/SB/30 Request for Continued
Examination Transmittal (1 Pg.),
Response to Record Substance of
Interview (2 Pgs.), and Return Mail Room
Postcard.

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account No. 50-0289.**Express Mail Label No. EL985153432US****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Wall Marjama & Bilinski LLP	Reg. No. 37,283
Signature	<i>George S. Blasiak</i>	
Date	June 16, 2004	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Typed or printed name	Barbara A. Saltsman	Date	June 16, 2004
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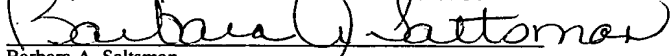
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Barbara A. Saltsman

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/316,651 Confirmation No.: 8093
Applicant: Dr. Norm Faiola, Ph.D., et al.
Filed: May 21, 1999
Art Unit: 2863
Examiner: Michael P. Nghiem
Docket No.: 270-109
Customer No.: 20874

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P. O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO RECORD SUBSTANCE OF INTERVIEWS OF
FEBRUARY 9, 2004 AND JUNE 16, 2004**

Sir:

In a telephone interview of February 9, 2004, Examiner Nghiem and applicants' representative George S. Blasiak discussed the status of the application. Applicants' representative had contacted the Examiner to determine the schedule for examination. The Examiner indicated that he was prepared to enter an Examiner's Amendment to bring the application in condition for allowance if the applicant was willing to accept an amendment, which would place the claims in a condition *exactly* in the form indicated to be allowable by the Examiner in the Examiner's last Office Action dated December 15, 2003.

Applicants' representative declined to accept the offer of the Examiner and indicated

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Response to Record Substance of Interview of February 9, 2003

that the applicants would be willing to wait for an examination.

Accordingly, the Examiner indicated that because the next Office Action would require substantive examination, it would be placed in line for examination behind nine other applications. The Examiner stated he believed a next Office Action would arrive within two months from February 9, 2004. Applicants again noted the extremely long pendency of the application (approaching five years), and the previous attempts to secure an allowance of the application, which were met with withdrawals of allowability.

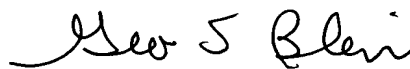
It is unclear whether the interview of February 9, 2003 was procedural or substantive. If substantive, the present correspondence will serve as a recording of the substance of the interview.

In a telephone interview of June 16, 2004 between Applicants' representative Owen Marjama and Examiner Nghiem, the Applicants' representative discussed the nature of the response filed concurrently herewith and further discussed a prospective schedule for examination. Applicants thank the Examiner for his indication that he would attempt to consider the concurrently filed response promptly on receipt. It is unclear whether the interview of June 16, 2004 was procedural or substantive. If substantive, the present correspondence will serve as a recording of the substance of the interview.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

Date: June 16, 2004



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